

REMARKS

Claims 1-11 remain herein.

The foregoing amendments to the claims place this application fully in condition for allowance, and certainly in better condition for any appeal. Accordingly, entry of this amendment and allowance of all claims are respectfully solicited.

Applicants thank the Examiner for the allowance of Applicants' claims 8-10.

Claim 1 was rejected under 35 U.S.C. § 102(b) over Buer et al. ("Buer").

Applicants' amended claim 1 recites a means for generating thermal instability in a circuit by enabling and disabling the circuit, and that a random signal is generated in response to the thermal instability generated in the circuit. This arrangement is neither disclosed nor suggested in the cited reference.

Buer discloses control of feedback by an enable line 501, which is designed to allow the SRO circuit 500 to act as a frequency leg oscillator. Buer does not teach generating thermal instability, let alone by enabling and disabling the circuit, or of generating a random signal in response to the instability. Further, while the Office Action correctly notes that the temperature of the Buer inverter stage circuit 510 depends on whether that circuit is enabled or not, this rather common side effect of any circuit element does not amount to generating a thermal instability or generating the random signal from that instability.

Accordingly, Applicants' amended claim 1 recites a combination of features which is neither disclosed nor suggested by Buer. Withdrawal of the rejection of claim 1 and allowance of the same are therefore respectfully requested.

Claims 2-7 and 11, which depend from claim 1 (either directly or through intervening claims) were also rejected under 35 U.S.C. § 102(b) over Buer. In view of at least the

amendments to claim 1 and the remarks advanced in favor of the same, these dependent claims are likewise patentably distinct over Buer. Withdrawal of the rejection of these dependent claims and allowance of the same are therefore requested.


Accordingly, the application is now in condition for allowance and a notice to that effect is respectfully requested.

Any amendments to the claims not specifically argued to overcome a rejection based upon the prior art have been made for clarity, a purpose unrelated to patentability.

If a telephone conference would be of value, the Examiner is requested to call Applicants' undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28951.0037).

Respectfully submitted,
STEPTOE & JOHNSON

A handwritten signature in black ink, appearing to read "Scott D. Watkins", is written over the printed name.

Roger W. Parkhurst, Reg. No. 25,177
Scott D. Watkins, Reg. No. 36,715

Date: July 14, 2005
1330 Connecticut Avenue, NW
Washington, DC 20036
Tel: 202-429-3000
Fax: 202-429-3902